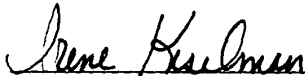




**DECLARATION OF IRENE KESELMAN IN SUPPORT OF  
PETITION UNDER 37 C.F.R 1.137(B)**

1. My name is Irene Keselman and I am over the age of twenty-one (21) years, of sound mind, and fully competent to testify to the following facts. I have personal knowledge that all facts set forth in this Declaration are true and correct.
2. I am a paralegal at the New York office of Baker & McKenzie, which has an address of 805 Third Avenue, New York, New York, 10022.
3. I am responsible for docketing all patent prosecution matters for the New York office of Baker & McKenzie.
4. U.S. Patent Application Serial No. 10/038,403, which has an attorney docket number of 67141761.1002, was transferred to the New York office of Baker & McKenzie from the San Diego office of Baker & McKenzie on February 1, 2002.
5. I entered this file into our docketing system when it was received.
6. I never received a Filing Receipt or Notice to File Missing Parts for this case and never docketed these items in our system.
7. On March 17, 2003, this file was transferred from the New York office of Baker & McKenzie to the Dallas office of Baker & McKenzie and I no longer had responsibility for overseeing the docket for this file.

  
Irene Keselman

SUBSCRIBED AND SWORN TO BEFORE ME on this the 30<sup>th</sup> day of April 2003, to certify which witness my hand and seal of office.

Florence Smith  
Notary Public in and for the

State of New York

Florence Smith  
Printed Name of Notary

My Commission Expires:

6/30/03

FLORENCE SMITH  
NOTARY PUBLIC, State of New York  
No. 31-4776653  
Qualified in New York County  
Commission Expires June 30, 2003



**DECLARATION OF WILLIAM D. MCSPADDEN IN SUPPORT OF  
PETITION UNDER 37 C.F.R 1.137(B)**

**RECEIVED**  
JUN 02 2003  
OFFICE OF PETITIONS

1. My name is William D. McSpadden and I am over the age of twenty-one (21) years, of sound mind, and fully competent to testify to the following facts. I have personal knowledge that all facts set forth in this Declaration are true and correct.
2. I am registered patent attorney (44,234) at the firm of Baker & McKenzie, which has an address of 2300 Trammell Crow Center, 2001 Ross Ave., Dallas, Texas 75201.
3. I am presently the attorney-in-charge of the file for U.S. Patent Application Serial No. 10/038,403, which has an attorney docket number of 67141761.1002.
4. On March 17, 2003, this file was transferred from the New York office of Baker & McKenzie to the Dallas office of Baker & McKenzie and I was placed in charge of this file.
5. After receiving this application, it was noticed that a filing receipt had not been received from the U.S. Patent Office and a call was placed to inquire as to its status.
6. On March 27, 2003, the Patent Office sent me a copy of the Filing Receipt and Notice to File Missing Parts, which had been mailed on February 5, 2002. *See Exhibit C.*

William D. McSpadden  
William D. McSpadden

SUBSCRIBED AND SWORN TO BEFORE ME on this the 28<sup>th</sup> day of May 2003, to certify which witness my hand and seal of office.



Jana Taylor  
Notary Public in and for the

State of Texas

JANA TAYLOR  
Printed Name of Notary

My Commission Expires:

9-12-2005

DALLIB1, 454905.1